INDEX DIGEST

A

ADMINISTRATIVE LAW:
Classification of Administrative Functions as Executive, Legislative or Judicial 274–277

AGENCY:
Independent Contractor Doctrine:
Conditions restricting employer's immunity 503–506
Difficulty of application to the cases 502–503
Economic and political influences shaping 510–512
Legal-sociological study of . 501–532
Partnership or joint adventure, construction to avoid . . 516–518
Similar means of insulation from liability currently employed 518–526
Principal's Liability to Third Persons:
Control or fault theory . . 506–507
Risk of enterprise theory . . . 507
Restatement of 159–163

AGRICULTURAL ADJUSTMENT ACT OF 1933:
Notice and Hearing before Issuance of License 270–290
Quasi Legislative Nature of License Power Delegated to the Secretary of Agriculture . . . 281–290

ATTORNEY AND CLIENT:
Contingent Fee Contract as Partial Assignment of Claim . . 327–329

B

BANKRUPTCY:
Discharge:
Trust receipt as creating fiduciary relation 475
Provability of Landlord's Claims . 629

BANKS AND BANKING:
Preferences 146, 476

BILLS AND NOTES:
Checks:
Circuitous Collection Route . . 637

BIOGRAPHY:
Lord Reading and His Cases . . 342

BONDS AND BONDHOLDERS:
Study of, Rights and Remedies . 163–164

BUSINESS TRUSTS:
Merger of Legal and Equitable Estates 477

C

CITIZENS:
The Citizenship Act of 1934:
Nationality at birth of foreign born children 100–106
Naturalization of aliens marrying Americans 109–112
Naturalization of children through parents 106–108
Removal of discriminations under previous acts 112–114
Renunciation of American citizenship on marriage to foreigner 108–109
Law of Citizenship in United States . 169

COMPARATIVE LAW:
In Germany:
Aims and approach . . . 246–250
German comparative law and conflict of laws 232–269
Influence on conflict of laws . 257–260
Post-war developments . . 238–245
Present place of 250–257
Reasons for early indifference to foreign legal thought and systems 235–239
Results and outlook . . . 268–269

CONFLICT OF LAWS:
In General:
Restatement 671
Comparative Law and, in Germany 257–268
Desirability of Comparative Law Methods in Formulation of Rules 261–268
International Legal Effects of Dollar Depreciation 291–300
Jurisdiction:
Concepts of 553–554

Jurisdiction over Movables:
Fundamental theories of . . 354–361
Jurisdiction over Persons:
Effect of a contested adjudication prior to the judgment . . 564–572
Effect of a contested adjudication subsequent to the judgment 572–577
Effect of recital of jurisdiction or uncontested adjudication . 556–564
Negotiable Instruments:
Negotiation by forged indorsement in foreign country 479
Property Rights:
Movable property and Conflict of Laws 345–384
Domicile or situs as proper law governing creation of property rights by contract . . . 346–354
Recording acts—conditional sales and chattel mortgages . . 361–384

CONSTITUTIONAL LAW:
In General:
Chain store license tax 480
General welfare clause and validity of PWA loans 470–474
Voting on constitutional conventions and amendments in Illinois 612–618
Delegation of Legislative Power to the Executive 632
Due Process:
Exclusion of Negroes from Primaries—State Action and 14th Amendment 640
General notions of administrative due process as regards advance notice and hearing . . . 270–274
Jurisdiction of courts over persons and due process 552–577
Quasi legislative action need not be preceded by notice and hearing 277–281
Requirement of advance notice and hearing before issuance of license under Agricultural Adjustment Act of 1933 . . . 270–290
Full Faith and Credit:
Adjudication of jurisdictional facts 552–577
History of Constitutional Theory 493–496
Impairment of Contracts:
Nullification of gold clauses in obligations 138–145
Police Power:
Billboard regulation—exercise of police power for aesthetic purposes 638
Price Discrimination:
New York Milk Control Bill . 329–331
Religious Freedom—Compulsory Military Training 331–332
Separation of Powers:
Classical doctrine of . . . 385–436
Constitutional convention of 1787 and 419–427
Early history of doctrine in America 416–419
Influence of colonial experience and institutions 393–394
Lines of thought influencing development of doctrine . . . 386–393
Opinions of several fathers of federal Constitution 394–413
Post-conventional history . . 428–436

CONTRACTS:
See also Labor Law.
International Legal Effects of Dollar Depreciation: 291–300
Abrogation of gold clauses and implication of them in existing contracts 296–299
on debts 292–295
on pending contracts . . . 295–296

CORPORATIONS:
Corporate Managers:
Incentives to loyalty to security holders 200–203
Corporate Powers:
Power to acquire own shares 332–333
Duty of Director Not to Compete with Corporation 323–326
Duty of Loyalty of Corporate Managers 195
Interested Director Voting for Salary of Officer 482
Liability of Corporate Managers:
Enforcement of duties of . . 194–207
Factors minimizing detection and punishment of disloyalty . . 197
Liability of Holding Company Shareholders for Statutory Assessment on Insolvent Subsidiary Bank Stock 484
Reorganization:
Difficulties inherent in methods of enforcing bondholders' rights 208–210
Plans of corporate reorganization . 171
Stockholders:
Participation of preferred shareholder beyond stated preference 133–137
Personal recovery for injury to corporation 317–322

Right to cumulative voting though not complying with statutory filing 642
Voting privileges of prior preference shareholders 332

Voting Bonds:
Fiduciary capacity of bondholders in control 224–229
Granting voting rights to bondholders 208–231
Means of enforcing bondholders' claims after default . . . 217–224
Method of conferring voting rights 213–216
Power of majority to bind minority 216
Power to confer voting rights on bondholders 212

CRIMINAL LAW:

In General:
Bibliography of crime and criminal justice 344
Delinquency of women . . 339–341
Handbook of 498–500
Proposed Illinois Criminal Code 601–612

Appeal:
Appeal under the American Law Institute Code of Criminal Procedure 437–456

Conspiracy:
Merger of conspiracy into completed offense 485

Income Tax Strikes:
Combinations to effect . . . 21–32
Individual action 15–18

CRIMINAL PROCEDURE:
Use of Habeas Corpus to Render Prisoner Eligible for Parole . 645

E

ELECTIONS:
Conviction of Felony as Disqualification from Office 333–335

EQUITY:
Casebook—Jurisdiction and Specific Performance 669

EVIDENCE:
Admissibility of Evidence of Subsequent Accident to Prove Dangerous Condition 647
Cross-examination:
on collateral matters to discredit . 146

F

FEDERAL PROCEDURE:
Review of Order to Remand . . 648

H

HISTORY OF LAW:
Colonial Records of Suffolk County Court 164–166
Importance of Adam Smith's Wealth of Nations in English Legal History 533–551

I

INCOME TAXES:
See Criminal Law.

INDEPENDENT CONTRACTOR:
See agency.

INSURANCE:
Beneficiary as Murderer and Sole Next of Kin 148

J

JUDGMENTS:
Full Faith and Credit of Adjudication of Jurisdictional Facts . 552–577

L

LABOR LAW:
Validity of Collective Bargaining Agreement 649

LANDLORD AND TENANT:
Leases Subordinate to Mortgage and Foreclosure Receiverships . 33–45
Repudiation by Tenant of Leases Subordinate to Mortgage after Foreclosure 42–45

LEGAL ETHICS:
Corporate Practice of Law:
By non-pecuniary corporations 119–132
Considerations of public policy in favor of such practice by non-pecuniary corporations . . 125–129
Constitutional aspects . . . 129–132

LEGAL PHILOSOPHY:
Nature of Law:
Natural law and declared law . . 1–15

LEGISLATION:
American Law Institute Code of Criminal Procedure—Appeal 437–456

Consumer Protection through Standards and Grades of Quality for Foods and Drugs . . 578–599
Proposed Illinois Criminal Code . 601–612
Work of Delaware Fiduciary Commission 619–628

M

MONOPOLIES:
Factors Fostering Combination . 306–307
Factors Tending to Preserve Competition 306
Monopolies and Monopolistic Practices 301–316
Production and Price Control under the Codes 307–316
Sherman Anti-Trust Act . . . 302–305

MORTGAGES:
Foreclosure:
Nature of foreclosure receivership 33–36
Receiver distinguished from mortgagee in possession . . . 38–42
Right of foreclosure receiver to affirm mortgagor's leases . . 37
Right of foreclosure receiver to disaffirm mortgagor's leases . . 36
Receiver's Claim for Rent against Lessee Subsequent to the Mortgage 487
Right of Possession of Senior Mortgagee as against Receivers Appointed for Junior Mortgagee . 149

N

NEGLIGENCE:
Imputed Negligence:
"Both-ways" test of liability . . 173
Child's contributory negligence in action by parent for loss of services 173–193
Contributory negligence of bailee in suit by bailor 174–180
Derivative cause of action—rationale for imputing contributory negligence 182
Wife's contributory negligence in action by husband for loss of services 173–193

P

PLEADING:
Illinois Civil Practice Act of 1933:
Joinder of parties 496–498

R

REAL PROPERTY:
Escheat and inheritance tax on escheated property 151

S

SALES:
Action for price of corporate shares . 152
Implied Warranty of Fitness for Consumption by Restaurant Keeper 653
Liability of manufacturer of food products to consumer . . . 488

SECURITIES:
"Market" Concept 46–57
Market:
Anti-trust penalty for manipulation 73–77
Manipulation and manipulative devices 50–56
Public interest in security markets 57–59, 65–68
Tort liability for market manipulation 59–61, 70–72
Trust relief for manipulation . 62–65
Securities Exchange Act of 1934:
Effect of 77
Objectives 46
Sections relating to information 49–50

STATUTES:
Diplomatic and Consular Laws and Regulations of Various Countries 166–168
Need for Annotation of Statute Law and Means of Achieving . 623–629
Statutory Revision and the Proposed Illinois Criminal Code . . 600–612

T

TAXATION:
In General:
Study of theory and practice . . 168
Retail Sales Tax:
In general 79
As applied to construction contractors 91–92
As applied to federal receivers . 92–93
As applied to newspapers . . 88–89
As applied to repair occupations 89–91
As applied to water, gases, electricity and steam . . . 86–88

Determination of "engaging in business" within meaning of statutes 85–86
Exemption of interstate commerce 93–97
Measure of tax 84
Relation of tax to price . . 82–84
"Sale at retail" defined . . . 80–82

TORTS:
In General:
Restatement of 662
Defenses:
Contributory negligence of wife or child in plaintiff's action for loss of services 173–193
Liability to Parent for Nervous Shock Induced by Fear for Safety of Child 654
Mental Suffering as Cause of Action 153

TRADE NAMES:
Injunction against Unauthorized Use 337–338
Rights of Employee under Collective Agreement 335–337

TRIAL PRACTICE:
Petition for Removal to Federal Court as Waiving Defects of Service 651
Power of Federal Court to Deny New Trial upon Defendant's Consent to Increased Damages . . . 154

TRUSTS:
In General:
Treatise on 665
Charitable:
Divisibility of trust partially invalid 155
Salary Received by Trustee as Corporate Official 489

U

UNFAIR COMPETITION:
Broadcasting News Reports . . . 656

W

WATER RIGHTS:
Opposite Riparian Owners' Right to Flow of Stream under Oregon Code 658

WILLS:
Ademption:
General or specific bequests . . 490
Joint and Mutual:
Secret revocation 157
Power of Appointment:
Construction 156
Devolution on invalid execution of power 156
Probate Practice and Procedure in Illinois 343–4
Undue Influence:
Definition of Illinois Supreme Court 460–463
Early history of concept . . 458–459
Illinois law of evidence and pleading related to 463–469
In Illinois wills 457–469

WORKMEN'S COMPENSATION:
Application of Workmen's Compensation Act to Relief Workers . 660